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Identical letters dated 18 February 2004 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to enclose the final communiqué of the Fifth Conference of the Ministers for Foreign Affairs of States Neighbouring Iraq, issued in Kuwait City on 15 February 2004 (see annex). I would appreciate it if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Nabeela **Al-Mulla**
Ambassador
Permanent Representative

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Annex to the identical letters dated 18 February 2004 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic and English]

Final communiqué of the Fifth Conference of the Ministers for Foreign Affairs of States Neighbouring Iraq

Kuwait

14 and 15 February 2004

In response to the invitation extended by the State of Kuwait to attend a meeting of Iraq neighboring States in order to discuss the new developments in Iraq on the regional and international levels; and aware of the significance of the current situation prevailing in the region; and expressing their concern and sympathy with the people of Iraq in their current sufferings resulting from the critical security and economic conditions and in light of the positions resulting from previous deliberations held by the neighboring States, the Foreign Ministers of the following States convened their fifth meeting in Kuwait on the 23rd Dhu al-Hijjah 1424, A.H. corresponding to February 14th, 2004, A.D.: the Arab Republic of Egypt, the Hashemite Kingdom of Jordan, the Islamic Republic of Iran, the Kingdom of Bahrain, the Kingdom of Saudi Arabia, the Republic of Iraq, the Republic of Turkey, the Syrian Arab Republic and the State of Kuwait . The meeting was attended by the Representative of the United Nations Secretary-General. The Ministers welcomed the participation of Iraq for the first time in the Fifth conference of the Foreign Affairs Ministers of Iraq Neighboring States.

Following their discussions, the Ministers agreed on:

1) Re-emphasizing the territorial integrity of Iraq together, with respecting the sovereignty, independence, and unity of Iraq, in addition to complying with the principles of non-interference in its internal affairs; the Ministers invited all parties to comply with these principles. They also stressed the right of the Iraqi people to freely determine their future.

2) Re-affirming the importance of enhancing the role of the UN so that it can assume its central responsibilities throughout the transitional process in Iraq, including preparing the ground for the withdrawal of occupying powers as soon as possible, and providing advice and technical expertise for formulating the constitution, holding elections, and expediting the transfer of power in such a way that would help the Iraqi people to regain their right and full control over their territory and natural resources.

3) Welcoming the UN Secretary-General's recognition of the crucial role the regional States can play in helping the transition of power to the Iraqi people and establishing peace and stability and also welcoming the UN Secretary-General's establishment of the advisory group consisting of the members of the regional neighboring States of Iraq and members of the Security Council.

4) Welcoming all relevant UN Security Council Resolutions, including Resolution 1511 , in particular paragraph 7 thereof, which calls for a time-table for the transfer of power to the Iraqi people and also calling on the UN to facilitate the smooth transfer of power to the Iraqi people by June 30th as agreed upon by the Transitional Governing Council of Iraq and the Coalition Provisional Authority.

5) Supporting the efforts of the Transitional Governing Council aiming at shouldering its responsibilities, the Ministers expressed hope that a broad-based and representative Iraqi government would be formed, based on a constitution approved and agreed upon by the Iraqi people that coexists peacefully with its neighbors and respects international conventions as well as bilateral and multilateral agreements.

6) While reiterating the responsibilities of the occupying power in accordance with the relevant Security Council Resolutions and International Law, especially the Fourth Geneva Convention of 1949, the Ministers reconfirmed their condemnation of the terrorist acts and explosions against civilians, Iraqi policemen and security forces, humanitarian and religious institutions, as well as international organizations and diplomatic missions operating in Iraq. They emphasized also the necessity of finding the perpetrators and holding them accountable for their crimes. They also extended their sincerest

condolences to the families of the victims of these terrorist acts and expressed their solidarity with the States which fall victims to such crimes. They also reaffirmed the necessity of eliminating all terrorist and other armed groups from the Iraqi territory that constitute a danger for the neighboring States.

7) Condemning strongly the killing of Kuwaiti and Iranian Prisoners of War and third-country nationals by the previous Iraqi regime; the Ministers also condemned the concealment of these crimes for over a decade by the previous Iraqi regime, which is considered a violation of international humanitarian law. They called for the necessity of bringing the perpetrators of these crimes against humanity to trial.

8) Commending the decision of the Iraqi people to bring the leaders of the previous regime, particularly the former President of Iraq, to justice and to try them for their crimes against humanity and call upon all States not to provide them with safe havens.

9) Welcoming the decision of the UN Secretary-General to dispatch an assessment team lead by Special Advisor Mr. Lakhdar Brahimi to Iraq, a step which the Ministers hope will have a positive effect on the situation. The Ministers also strongly called for the return of the UN offices and agencies to resume their activities in Iraq.

10) Stressing the significance of sustaining the recognized active role played by the neighboring States in their support of the effort made by Iraq towards achieving security and stability. The Ministers also supported all diplomatic and political efforts aiming at realizing such matters for the benefit of the Iraqi people, enabling Iraq to take a positive role as a member of the international community and establish viable relations with its neighboring States in accordance with the principles of international law and in fulfillment of its international obligations. In this context, they requested the UN Secretary-General to convene the advisory group at the Ministerial level at an appropriate time in the near future.

11) Affirming the importance of continuing meetings of the neighboring States, the Ministers have decided to convene further meetings; thus they welcomed the invitation of the Arab Republic of Egypt to host the forthcoming meeting.

The Foreign Ministers expressed their gratitude to the State of Kuwait for the warm welcome and hospitality they received in Kuwait. In particular, the Ministers held in high esteem their meeting with His Highness the Emir, His Highness the Crown Prince, and His Highness the Prime Minister during which Their Highnesses underlined valuable principles contained herein.